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*Attorneys for Irving H. Picard, Esq., Trustee
for the Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities LLC
and Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

Adv. Pro. No. 08-01789 (BRL)

SIPA Liquidation

(Substantively Consolidated)

**NOTICE OF AGENDA FOR MATTERS SCHEDULED
FOR HEARING ON FEBRUARY 2, 2010 AT 10:00 A.M.**

CONTESTED MATTERS

SIPC v. BLMIS; Adv. Pro. No. 08-1789

1. Trustee's Motion For an Order Upholding Trustee's Determination Denying Customer Claims' For Amounts Listed on Last Statement, Affirming Trustee's Determination of Net Equity, and Expunging Those Objections With Respect to The Determinations Relating

To Net Equity and Declaration of Joseph Looby in Support of the Trustee's Motion filed by David J. Sheehan on behalf of Irving H. Picard (Filed: 10/16/2009) [Docket No. 524]

2. Memorandum of Law in Support of Trustee's Motion For an Order Upholding Trustee's Determination Denying "Customer" Claims For Amounts Listed on Last Customer Statement, Affirming Trustee's Determination of Net Equity, and Expunging Those Objections With Respect To The Determinations Relating To Net Equity filed by David J. Sheehan on behalf of Irving H. Picard. (the "Motion") (Filed: 10/16/2009) [Docket No. 525]
3. Exhibit A to the Trustee's Motion for an Order Upholding Trustee's Determination Denying Customer Claims' For Amounts Listed on Last Statement, Affirming Trustee's Determination of Net Equity and Expunging Those Objections With Respect to The Determinations Relating to Net Equity filed by David J. Sheehan on behalf of Irving H. Picard (Filed: 10/19/2009) [Docket No. 530]
4. Memorandum of Law of the Securities Investor Protection Corporation in Support of Trustee's Motion for an Order Upholding Trustee's Determination Denying "Customer" Claims for Amounts Listed on Last Statement, Affirming Trustee's Determination of Net Equity, and Expunging Those Objections with Respect to the Determinations Relating to Net Equity filed by Josephine Wang on behalf of Securities Investor Protection Corporation (Filed: 10/16/2009) [Docket No. 519]
5. Affidavit Declaration of Hemant Sharma filed by Josephine Wang on behalf of Securities Investor Protection Corporation (Filed: 10/16/2009) [Docket No. 520]
6. Memorandum of Law of the Securities and Exchange Commission Supporting Trustee's Determination that Net Equity Should Not be Based on Securities Positions Listed on Last Statements, and Supporting in Part Trustee's Determination that Net Equity Should be Based Upon Amounts Deposited Less Amounts Withdrawn filed by Patricia Schrage on behalf of Securities and Exchange Commission (Filed: 12/11/2009) [Docket No. 1052]

Objection Deadline:

November 13, 2009

Objections Filed:

7. Attached as **Exhibit A** is a schedule of objections filed in opposition to the Trustee's Motion.
8. Memorandum of Law of Sterling Equities Associates and Certain Affiliates Regarding Net Equity and Avoidance filed by Karen E. Wagner on behalf of Sterling Equities Associates (Filed: 11/12/2009) [Docket No. 716]
9. Declaration of Arthur Friedman filed by Karen E. Wagner on behalf of Sterling Equities Associates (Filed: 11/12/2009) [Docket No. 720]

10. Memorandum of Law Customers' Memorandum of Law in Opposition to Trustee's Motion for an Order Approving the Trustee's Re-Definition of "Net Equity" Under the Securities Investor Protection Act (related document 524) filed by Helen Chaitman on behalf of Maureen Ebel, Diane Peskin, Roger Peskin (Filed: 11/13/2009) [Docket No. 755]
11. Declaration of Helen Davis Chaitman in Opposition to Trustee's Motion for an Order Approving the Trustee's Re-Definition of "Net Equity" Under the Securities Investor Protection Act (related document 755) filed by Helen Chaitman on behalf of Maureen Ebel, Diane Peskin, Roger Peskin (Filed: 11/13/2009) [Docket No. 761]
12. Objection to Motion Objection of Lawrence Elins and Malibu Trading and Investing, L.P. to Trustees Motion for an Order Regarding Definition of Net Equity under the Securities Investor Protection Act (related document 524) filed by Matthew J. Gold on behalf of Lawrence Elins, Malibu Trading and Investing, L.P. (Filed: 11/13/2009) [Docket No. 779]
13. Sonnenschein Investors' Opposition to the Trustee's Motion for an Order Upholding Trustee's Determination Denying "Customer" Claims for Amounts Listed on Last Statement, Affirming Trustee's Determination of Net Equity and Expunging Those Objections With Respect to the Determinations Relating to Net Equity filed by Carole Neville on behalf of Sonnenschein Investors (Filed: 11/13/2009) [Docket No. 784]
14. Opposition Brief Memorandum Of Law In Opposition To Trustees Motion For An Order Upholding Trustees Determination Denying Customer Claims For Amounts Listed On Last Statement, Affirming Trustees Determination Of Net Equity, And Expunging Those Objections With Respect To The Determinations Relating To Net Equity (related documents 524, 530) filed by Jonathan M. Landers on behalf of Albert J. Goldstein U/W FBO Ruth E. Goldstein TTEE, Ann Denver, Norton Eisenberg, Export Technicians, Inc., Stephen R. Goldenberg, Judith Rock Goldman, Jerry Guberman, Anita Karimian, Orthopaedic Specialty Group PC, Martin Rappaport, Paul J Robinson, Bernard Seldon, Harold A. Thau, The Aspen Company (Filed: 11/13/2009) [Docket No. 785]
15. Memorandum of Law (Goodwin Claimants' Memorandum of Law in Opposition to Trustee's Motion Re: Determination of Net Equity), (related document 524) filed by Daniel M. Glosband on behalf of Jeffrey A. Berman, Russell DeLucia, Ellenjoy Fields, Jane L. O'Connor as Trustee of the Jane O'Connor Living Trust, Michael C. Lesser, Norman E. Lesser Rev. 11/97 Rev. Trust, Paula E. Lesser 11/97 Rev. Trust (Filed: 11/13/2009) [Docket No. 796]
16. Memorandum of Law in Opposition to Motion for an Order Upholding Trustee's Determination Denying Customer Claims For Amounts Listed on Last Statement Relating to Net Equity (related document 524) filed by Brian Neville on behalf of Rose Less (Filed: 11/13/2009) [Docket No. 803]
17. Declaration of Brian Maddox in Support of Rose Less's Memorandum of Law In Opposition to Trustee's Motion for an Order Upholding Trustee's Determination Denying

Customers Claims for Amounts Listed on Last Statement Regarding Net Equity filed by Brian Neville on behalf of Rose Less (Filed: 11/13/2009) [Docket No. 804]

Responses Filed:

18. Reply to Motion Reply Brief In Opposition To Arguments Of The SEC And the Optimal Entities Supporting Trustee's Motion Relating To "Net Equity" Issue filed by Jonathan M. Landers on behalf of Ann Denver, Norton Eisenberg, Export Technicians, Inc., Stephen R. Goldenberg, Judith Rock Goldman, Ruth E. Goldstein, Jerry Guberman, Anita Karimian, Orthopaedic Specialty Group PC, Martin Rappaport, Paul J Robinson, Bernard Seldon, Harold A. Thau, The Aspen Company (Filed: 12/18/2009) [Docket No. 1095]
19. Memorandum of Law on "Net Equity" in Reply to Memoranda of the Securities and Exchange Commission and Optimal Strategic U.S. Equity Limited and Optimal Arbitrage Limited filed by Helen Chaitman on behalf of Maureen Ebel, Diane Peskin, Roger Peskin (Filed: 12/21/2009) [Docket No. 1096]
20. Reply Memorandum of Law of Sterling Equities Associates and Certain Affiliates Regarding Net Equity and Avoidance filed by Karen E. Wagner on behalf of Sterling Equities Associates (Filed: 12/21/2009) [Docket No. 1098]
21. Reply to Motion in Opposition to Trustee's Motion for an Order Upholding Trustee's Determination Denying Customer Claims' Relating To Net Equity (related document 524) filed by Brian Neville on behalf of Rose Less (Filed: 12/21/2009) [Docket No. 1105]
22. Declaration of Brian Maddox in Support of Lax & Neville, LLP's Reply Memorandum in Opposition to Trustee's Motion for an Order Upholding Trustee's Determination Denying Customer Claims' Relating To Net Equity (related document 524) filed by Brian Neville on behalf of Rose Less (Filed: 12/21/2009) [Docket No. 1106]
23. Reply Memorandum of Law of the Securities Investor Protection Corporation In Support of Trustee's Motion for an Order Upholding Trustee's Determination Denying "Customer" Claims for Amounts Listed on Last Statement, Affirming Trustee's Determination Of Net Equity, and Expunging Those Objections with Respect to the Determinations Relating to Net Equity filed by Josephine Wang on behalf of Securities Investor Protection Corporation (Filed: 1/15/2010) [Docket No. 1765]
24. Supplemental Memorandum of Law of the Securities and Exchange Commission Supporting Trustee's Determination That Net Equity Should Not Be Based on Securities Positions Listed on Last Statements, and Supporting in Part Trustee's Determination that Net Equity Should Be Based Upon Amounts Deposited Less Amounts Withdrawn filed by Patricia Schrage on behalf of Securities and Exchange Commission (Filed: 1/15/2010) [Docket No. 1768]

25. Reply Brief In Support of Trustee's Motion For An Order Upholding Trustee's Determination Denying "Customer" Claims For Amounts Listed On Last Customer Statement, Affirming Trustee's Determination Of Net Equity, And Expunging Those Objections With Respect To The Determinations Relating To Net Equity filed by David J. Sheehan on behalf of Irving H. Picard (Filed: 1/15/2010) [Docket No. 1773]
26. Declaration of Seanna R. Brown in Support of Trustee's Reply Brief in Support of The Trustee's Motion For an Order Upholding Trustee's Determination Denying "Customer" Claims For Amounts Listed On Last Customer Statement, Affirming Trustee's Determination of Net Equity, And Expunging Those Objections With Respect To The Determinations Relating To Net Equity filed by Seanna Brown on behalf of Irving H. Picard (Filed: 1/15/2010) [Docket No. 1774]

Related Documents:

27. Memorandum Endorsed Order signed on 1/25/2010. The proposed net equity argument outline submitted by the law firms of Davis Polk & Wardwell, LLP, et al., is approved. See also Memorandum Endorsement Approving Submission of Trustee, SIPC, and SEC Regarding Net Equity Hearing (Filed: 1/25/2010) [Docket No. 1820]
28. Memorandum Endorsed Order signed on 1/25/2010. The submission of the Trustee, SIPC, and SEC regarding the net equity hearing is approved. See also Memorandum Endorsement Approving Proposed Net Equity Argument Outline Submitted by the Law Firms of Davis Polk & Wardwell, LLP, et al. (Filed: 1/25/2010) [Docket No. 1821]
29. Letter on behalf of Lawrence Elins, Malibu Trading and Investing, L.P. requesting the Court allot the Elins Objectors time to be heard at the hearing in opposition to the Trustee's Motion dated 1/27/2010.

Status:

This matter is going forward.

Dated: New York, New York
February 1, 2010

Respectfully submitted,

s/Marc Hirschfield

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